



April 14, 2021

Honorable Lucille Roybal-Allard, Chair | Honorable Chuck Fleischmann, Ranking Member
House Appropriations Subcommittee on Homeland Security

Honorable Chris Murphy, Chair | Honorable Shelley Moore Capito, Ranking Member
Senate Appropriations Subcommittee on Homeland Security

The Alliance to End Slavery and Trafficking (ATEST) thanks you for your leadership in the fight to end child labor, forced labor and human trafficking. We appreciate your efforts to pass legislation and provide resources to federal agencies engaged in combating these horrific crimes. We seek your assistance in funding essential programs in the FY22 Homeland Security Appropriations bill and including related Committee report language. The Department of Homeland Security plays a vital role in fighting this despicable crime. ATEST recommends the creation of new victims services programs and accountability for programs in this key *Trafficking Victims Protection Act of 2000* and subsequent reauthorizations (TVPA) and related legislation. We urge you to include appropriate and necessary resources for DHS to combat trafficking and child sexual exploitation, protect trafficking victims, and effectively implement its mandate under TFTEA and the Tariff Act of 1930.

ATEST FY22 Appropriations Requests Summary: Homeland		
Department	Program	FY22 Appropriation Request
Homeland Security	Customs and Border Protection	\$20,000,000
	Immigration and Customs Enforcement / Homeland Security Investigations	\$54,400,000- Requested from allocated funding, of which <ul style="list-style-type: none"> • not less than \$15,700,000 for forced labor investigations • \$20,000,000 for Victim Witness Coordinators
	Immigration and Customs Enforcement / Homeland Security Investigations: Office of Victims Assistance	\$33,500,000- Requested from allocated funding



Customs and Border Protection (CBP): \$20,000,000 | We request funding from the ICE allocated funds for CBP to self-initiate investigations into the enforcement of section 307 of the Tariff Act of 1930. Recent changes in law have made it easier to enforce this prohibition on the importation into the U.S. of goods made with forced labor. Funds would be used to fulfill CBP's budget request for FY18 of 20 new auditors, to further enforce forced-labor restrictions in imports as was addressed in section 910 of the TFTEA of 2015. Increased and improved enforcement of the Act would allow CBP to stop goods made with forced labor from entering the U.S. markets and discourage foreign producers from using forced labor in their supply chains.

We have seen a small but steady uptick in enforcement actions over recent years. In FY 2018, there were two Withhold Release Orders (WRO) issued, including a notable one for all cotton from Turkmenistan, and in FY 2019, there were six WROs issued. In FY 2020, CBP more than doubled the previous amount by issuing thirteen WROs, resulting in the detention of more than 300 shipments containing nearly \$50 million of goods believed to be tainted by forced labor. However, this remains just a fraction of what is needed to ensure the law is adequately enforced.

Immigration and Customs Enforcement (ICE) Homeland Security Investigations (HSI):

\$54,400,000 | HSI plays a critical role in combating severe forms of trafficking originating from foreign countries, including investigating violations of Section 307 of the Tariff Act of 1930, and is, therefore, the first line of defense against key aspects of this crime. In FY17 HSI initiated 833 TIP investigations, down from 1,029 in FY16 and from 1,034 in FY15. We request funding from the Immigration and Customs Enforcement allocated funds for investigations, training, victim services, and victim witness coordinators within HSI to combat severe forms of trafficking in persons as authorized by Sec. 113(i) of the TVPRA of 2013 and updated in the TVPRA of 2018.

Of these funds, \$15,770,000 should be for forced labor investigations under section 307 of the Tariff Act of 1930, and \$20,000,000 should be designated specifically for Victim Witness Coordinators. Additional resources should be used to train field officers on identifying victims of human trafficking and distinguishing between trafficking and smuggling, expand trafficking investigations, and help reduce the incidents of trafficking and forced labor in the U.S. The Victim Witness Coordinator funding would allow HSI to hire 5 additional Victim Witness Coordinators specialized in human trafficking to support human trafficking victims interacting with law enforcement and ensure that the HSI response to this crime is victim-centered. The funds would also allow HSI to train all victim witness personnel on the provision of victim services and rights for this specialized victim population.

Proposed Report Language: *Forced Labor- Within the total amount provided to HSI, not less than \$15,770,000 shall be for investigations and other activities related to forced labor law violations, including but not limited to forced child labor, and of which not to exceed \$6,000,000 shall remain available until expended. ICE shall submit to the Committees an annual report on the expenditures and performance metrics associated with such activities.*

Homeland Security Investigations (HSI): Office of Victims Assistance: \$33,500,000 | We request this funding from the Immigration and Customs Enforcement (ICE) allocated funds to the Secretary for the establishment of an Office of Victims Assistance within the HSI unit. ICE is



often the first government entity to interact with trafficked migrants and should provide the first opportunity for these victims to access services in accordance with the TVPA of 2000.

Proposed Report Language: *The Committee directs the Secretary to establish an Office of Victims Assistance within the Immigration and Customs Enforcement Homeland Security Investigations unit. Such funds shall be used to provide national oversight to ensure that all employees of the U.S. Immigration and Customs Enforcement comply with all applicable Federal laws and policies concerning victims' rights, access to information, advisement of legal rights, just and fair treatment of victims, and respect for victims' privacy and dignity; and to oversee and support specially trained victim assistance personnel through guidance, training, travel, technical assistance, and equipment to support Homeland Security Investigations in domestic and international investigations with a potential or identified victim or witness.*

As a champion for the victims of child labor, forced labor and sex trafficking, you understand the complexities of these issues and the resources needed to respond. We have carefully vetted our requests to focus on the most important and effective programs. We thank you for your consideration of these requests and your continued leadership. If you have any questions, please contact ATEST Coalition Co-Chairs Anita Teekah (Anita.Teekah@safehorizon.org) or Terry FitzPatrick (terry.fitzpatrick@freetheslaves.net).

Sincerely,

Coalition to Abolish Slavery and Trafficking (CAST)

Coalition of Immokalee Workers (CIW)

Free the Slaves

HEAL Trafficking

Human Trafficking Institute

Humanity United Action

McCain Institute for International Leadership

National Network for Youth (NN4Y)

Polaris

Safe Horizon

Solidarity Center

T'ruah: The Rabbinic Call for Human Rights

United Way Worldwide

Verité

Vital Voices Global Partnership

ATEST is a U.S.-based coalition that advocates for solutions to prevent and end all forms of human trafficking and modern slavery around the world.